

DRAFT



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 29, 2004**

PRESENT: LAURA PETRAIN, CHAIRMAN; LEON METHOT, CO-CHAIRMAN; HELEEN KURK, SELECTMAN; DOUGLAS COOK, SELECTMAN

TOWN ADMINISTRATOR: ROBERT CHRISTENSEN

RECORDING SECRETARY: CHERRY PALMISANO

GUESTS: FRANK CAMPANA, RICHARD BUTT, THOMAS CARR, STEPHEN NAJJAR, STEVE COUTURE, MATT ESENWINE, GINGER ESENWINE, FORREST ESENWINE, JOELE FARRELL, SANDRA BOYKO, MICHAEL BOYKO, PAUL KOSCIUSZEK, PAT MYERS, ANDY FULTON, BOB KNAPP

1. NONPUBLIC SESSION #1

Selectman Petrain moved to go into nonpublic session under RSA 91 A 3 II (c) at 6:00PM. Selectman Kurk seconded the motion. Roll call vote unanimously approved motion.

Present at the session were Selectmen Petrain, Methot, Cook, and Kurk; Town Administrator Robert Christensen; Cemetery Trustees Don Burke, Margo McLeod, and Jan Brown, and PARC chairman Charles Metcalf.

Town Administrator, Robert Christensen presented the lawn care contract situation where the current contractor, All About Lawn Care was deemed by PARC, Trustees of Cemeteries, and himself to be in breach of contract as the fall cleanup was not accomplished.

Concern was expressed that it was going to be an unfair burden to the contractors who have the 2005 contract to start off with having to do what was left from the fall cleanup not being accomplished.

Don Burke explained how the work has fallen way behind and the fall cleanup was not accomplished. The contract specifies by November 15. Charles Metcalf also stated the PARC fall cleanup has not been accomplished and is also past the contract-stipulated November 15. Several present at the session expressed their displeasure over the lack of communication from All About Lawn Care even after multiple efforts to reach Mr. Ron Johnson by phone.

DRAFT

Selectman Cook suggested giving the remaining money to the contractors who were low bidders on the 2005 lawn care contract bids (Cutting Blade for Cemeteries and Green Tomato for Municipal/PARC) or at least getting quotes and offering first right of refusal to complete the fall cleanup.

Don Burke suggested bringing the mowing work in house while Jan Brown stated she was against the idea of not using outside contractors.

It was decided that Robert Christensen would contact Ron Johnson to let him know the Town finds him in breach of contract and to cease any and all work. The Town will furthermore withhold the specified percentages of the contracts that were to be the last payments after the fall cleanup was accomplished. He is to further write letters for Don Burke to sign on behalf of the Cemetery Trustees as well as for PARC/Municipal.

Jan Brown asked if the trustees of cemeteries could be notified whenever there was going to be roadwork done by the Highway Department. The board instructed Jan to talk with Carl Knapp about the matter. She stated she would write a letter.

Chairman Petrain moved to come out of nonpublic session at 6:32PM. Co-Chairman Methot seconded the motion and a roll call vote unanimously approved the motion.

It was decided there was no need to seal the minutes and to include in public minutes.

6:35 p.m. Chairman Laura Petrain called the meeting to order.

Chairman Petrain stated the Police Chief was on Paid Administration Leave because the Board was presented with information that warranted further investigation and told everyone she did not want any public comment regarding this because the Board was not going to discuss this matter this evening.

2. PUBLIC PARTICIPATION – Mr. Richard Butt questioned the Board on a nonpublic held on November 15, 2004, whether or not the Board voted on suspending the Police Chief. Chairman Petrain stated that there was no formal vote.

Mr. Butt asked the Board on the status of the old fire station. Chairman Petrain stated that it has not been discussed as to whether it will be placed on a warrant article.

Mr. Frank Campana requested that the Board recommend and place a warrant article on the March 2005 ballot stating “Shall we adopt the provisions of RSA 72:28, V and VI for an optional veterans’ exemption and an expanded qualifying war service for veterans seeking the exemptions? The optional veterans’ exemption is \$400 rather than \$100.” Mr. Campana requested further information to be given to him for the next meeting.

Mr. Campana requested information regarding the vehicle used by the school resource officer, i.e., the history of the car, how much is it costing the town, does the officer drive the vehicle home and is there in fact a need for this vehicle? Chairman Petrain stated that the vehicle was not accepted by the BOS and that they are working on the communication with the department.

3. PUBLIC HEARING – Chairman Petrain opened the Public Hearing at 6:55 p.m. to receive information and testimony at the request of JH Spain Associates for the Town to accept the following roads as Class V town maintained roads: approximately 2,450 LF – Fox Hollow Drive, approximately 480 LF - Hunters End and approximately 375 LF – Pheasant Run. There was no public comment. Mr. Carl Knapp stated that on October

DRAFT

23, 2004 a site walk took place at this location with the Planning Board and some members of the Board of Selectmen.

Co-Chairman Methot said that the Planning Board needs to accept this project before the BOS can hold a hearing.

Chairman Petrain moved, Co-Chairman Methot seconded to extend the public hearing on December 20, 2004. Passed 4-0-0. Mr. Christensen will contact the Land Use Department.

4. GRANTS – Mr. Knapp updated the Board on the request by the State to install a generator for the sewer station. Mr. Knapp stated that the cost of the installed generator, with figures from last year, would be approximately \$15,000. There is a 20% grant available sometime after January. The request will need to be on a warrant article.

5. WOODBURY BRIDGE – Mr. Knapp told the Board Woodbury Bridge was coming along fine and the completion of the project depends on the weather.

6. CONSERVATION COMMISSION & OPEN SPACE COMMITTEE – Mr. Tom Carr from the Conservation Commission and Mr. Steve Najjar, Chair of the Open Space Commission held an informative session to discuss warrant articles they would like to have on the March 2005 ballot. Mr. Carr stated that a project proposed by the Southern NH Planning Commission prompted them to identify lands protected by conservation, easement, town forest, state forest, and private easements. A color-code map, created with GSI, was presented identifying unprotected parcels of 50 acres or more that are suitable for conservation.

Mr. Najjar referred to a landowner contact letter that was approved by the Board and sent out to see if there was an interest by landowners to do an easement or sell their land to the town for conservation. The Conservation Commission has authorized expenditure to appraise land from an interested party. Mr. Najjar stated that Frank Bolton has a parcel he would like to sell outright to the town and another parcel that he would like to have his taxes waived for the rest of his life in exchange for an easement on the property.

Mr. Najjar made mention of two warrant articles being proposed by the Conservation Commission to designate town owned land into two different types, one being conservation land and the another town forest. Mr. Najjar stated the differences between town forest and conservation land, according to RSA, is where the funds go from a timber sale. Selectman Cook said that there are no specifics as to where the money would go and it would go back into the General Fund.

The second warrant article refers to town owned wetland, Dustin Meadow on Rt. 77 that is not currently identified as conservation land.

Mr. Carr stated that one thing the committees are looking at in regards to town owned land when considering to place it into conservation and town forest is if the land is productively suitable. Mr. Najjar, in response to Selectman Cook's question as to whether conservation land could be taken out of conservation, stated that land can be taken out of conservation as long as there are not easements or permanent restrictions on the land.

Selectman Kurk asked what percentage of our land is protected. Mr. Carr stated that around 10-12% of our land is currently protected and that the Forest Commission recommends at least 25% of town land should be protected.

DRAFT

Selectman Cook questioned what needs to be done with tax maps? Mr. Najjar said that they have to be converted into CAD. Arc view program is utilized by the conservation commission and open space commission. Mr. Najjar recommends going with ERSI software. Selectman Cook asked Mr. Carr and Mr. Najjar for their input in a request from a landowner to purchase a piece of town owned land map 408 lot 118.

Mr. Carr invited the public, members of the Board of Selectmen and Planning Board to attend an Open Discussion with the Conservation Commission on Wednesday, December 8, 2004 at 7:00 regarding open space concepts and cluster developments.

Mr. Christensen made mention to a request from Piscataquog Watershed Association to take a study of town owned culverts in town to access Southern NH Dept of Environment Grants. Mr. Carr said they would be more than willing to help the town through the process and would need an update culvert list from Carl Knapp. Mr. Knapp stated concern that there are 1,000s of culverts in town and would be a huge undertaking to list but would like to see them plotted in the GSI.

Selectman Kurk questioned the Abijah Bridge location. The Conservation Commission fund pledged \$20,000 towards support of the project. Selectman Cook stated that you can use Southern NH Planning for GPS and plotting.

Mr. Steve Couture questioned the board on purchasing town land. It was determined that the Conservation Commission will take a look at the questioned property and give their recommendation.

7. AVITAR CONTRACT – Mr. Christensen referenced a memo that Craig Nichols mentioned saving funds based on this years pattern, then maybe we don't go the full \$80,000 for next year but cutback some of the projected days. Another option is at \$82,000 are we at the threshold of requiring someone full time? Mr. Christensen stated that the work is warranted to have someone in town full-time at this present time. Co-Chair Methot said that the State is mandating that all towns be assessed at 100% by 2006. Chairman Petrain said that even after the town is assessed 100% there would still be a year of work to handle abatements.

Chairman Petrain stated that she would be willing to look into hiring an assessor full-time. Selectman Kurk questioned possibly teaming up with other towns and would like to further investigate this option. Co-Chairman Methot said he would be leery about hiring someone as an assessor at this time without background in the town. Selectman Cook said he would prefer waiting until 2006 or later.

Chairman Petrain opened it up for discussion. Selectman Cook stated that potential is there to save money by hiring someone part-time or utilizing someone in house, for data verification, which would be cheaper than hiring a full time Assessor.

Chairman Petrain stated \$136,000 was budgeted last year with only \$76,000 spent this year and she is not willing to over budget. Chairman Petrain is not in favor of the full time secretary taking on more work without extra compensation.

Chairman Petrain feels that a lot of money is being spent and further avenues need to be explored and further information be gathered in regards to hiring a part-time person for data verification.

DRAFT

Co-Chairman Methot stated his opinion that until the whole project is done that we need to stick with the current contract and is interested in the 2006 end result.

Mr. Christensen said that there was no escape clause in the contract and there was no obligation that the town needs to do the update under this agreement and obligates the company. This means that Avitar is obligated to the man power to the town of Weare stated in the contract. Selectman Kurk asked the Board if we want to wait until Mr. Christensen gets more info or wait until we can have Mr. Nichols here to answer more questions. Selectman Cook said he doesn't want to jeopardize the current evaluation.

Chairman Petrain asked the board if it would be worth Mr. Christensen seeking further information or if they would rather stay with Avitar for the next year. Selectman Kurk stated that her presumption is that the Board would rather stay with Avitar. Selectman Cook doesn't want to jeopardize where they need to be by 2006. Chairman Petrain just feels we need to decide the most responsible way to go for the town. Co-Chairman Methot wants to finish the project with Avitar and still continue to look at someone part-time for the future. Co-Chairman Methot stated it would be a waste of time for right now for Mr. Christensen to look into information but to look at things for the future for long-range planning. Selectman Kurk wants to get information on what's out there. Selectman Cook wants to take the money we didn't spend this year and encumber it into next year. Selectman Kurk questioned that if only spent \$65,000 how we can expense \$82,000.

It was decided, by Chairman Petrain, that the contract with Avitar would not be signed at this time and further options would be explored at the next meeting.

8. PUBLIC WORKS BUDGET – Mr. Carl Knapp referenced the highlights to the Public Works Budget. Mr. Knapp stated the biggest increase is in salt, which went 25% this year adding an approximate increase of \$25,000 to our bottom line. Fuel increased \$6,000 due to cost of fuel. Cutting edges substantially increased because of cost of the product. There was an increase in telephone due to internet problems and the need to get radar and storm updates. Selectman Kurk questioned the absence of electric and heat in the budget and it being placed in the Governmental Buildings fund.

Matt Esenwine questioned all governmental buildings being under one heading.

Chairman Petrain determined to leave it the way it is.

Mr. Esenwine questioned vehicle maintenance and asked Mr. Knapp for a brief summary. Mr. Knapp stated that T-5 was an old truck that cost a lot more to maintain but has now been replaced with a 2005 so less maintenance is anticipated; T-7 is an old state truck with a tired motor and is requesting funds for a rebuilt; top decks on the screener need replacing.

Mr. Esenwine questioned Mr. Knapp on being over budgeted on T-2 budgeted amount and Mr. Knapp stated there were unanticipated repairs needed. Co-Chairman Methot questioned if the trucks have assigned drivers. Mr. Knapp responded that for the most part but on occasion there are different drivers.

Selectman Kurk questioned Mr. Knapp regarding a memo for the need of a full-time position and why it was not reflected in the budget. Mr. Knapp said it's not added in his budget because it was brought up separately in the past. Selectman Cook stated that a request that big needs BOS approval.

DRAFT

Mr. Knapp stated that the new employee would help with plowing and work at transfer station on Saturdays in winter when not plowing and every Saturday thereafter and to cover vacations of personnel at the transfer station. Mr. Knapp stated that the overtime cost would go down substantially with the hiring of an additional employee, currently budgeted at \$2,500 for 2004 for the transfer station and \$4,000 for 2005. Chairman Petrain requested the numbers from Mr. Knapp so they can move on the budget. Selectman Cook is neither in favor, nor against at this point. Selectman Kurk said we can't do without it. Mr. Christensen stated that Mr. Knapp is putting in an inhuman amount of hours and the new person would really help with his hours. Selectman Cook says that the BOS doesn't need to be convinced but the townspeople do. It's getting the budget passed that is the problem.

Chairman Petrain says the problem is that we need to convince the town of the need of an extra person because the plowing and work has been getting done by Mr. Knapp. Mr. Knapp stated that in a previous year the position was already added.

Mr. Knapp stated the transfer station revenue has increased from \$9,000 to over \$85,000 with recyclables (cardboard, steel, aluminum cans). Co-Chairman Methot requested revenue sheets for the next meeting. Mr. Knapp said as of the end of October they showed \$78,000 in revenue, which should help to offset the increase in budget due to request for new employee. Mr. Knapp noted that the increase in growth in town has added new roads that need to be plowed and maintained.

Mr. Esenwine asked if the recyclable company mandate what is recyclable and if they should look into adding more recyclables to the accepted list. Mr. Knapp replied that with more recyclables you need more manpower but was worth looking into because it makes less trash for Wheelabrator. Mr. Knapp stated the highway dept heats their office strictly from waste oil from the townspeople.

Mr. Knapp commented on the Wheelabrator line going up estimating increasing of approximately \$16,000.

9. MANIFESTS

Chairman Petrain moved, Co-Chair Methot seconded, to authorize the Board of Selectman to sign Manifest and order the Treasurer to sign checks dated December 2, 2004. Passed 4-0-0.

Accounts payable	\$333,155.28
Gross Payrolls	\$29,887.91
Voids	<u>(\$568.30)</u>
Total	\$363,043.19

Selectman signed manifest and ordered the Treasurer to sign checks dated November 24, 2004.

Accounts Payable	\$6,302.76
Gross Payrolls	<u>\$26,987.40</u>
Total	\$33,290.16

10. MEETING MINUTES

Chairman Petrain moved, Co-Chairman Methot seconded to approve amended minutes of 9/20/04. Passed 4-0-0.

Chairman Petrain moved, Co-Chairman Methot seconded to approve amended minutes of 10/4/04. Passed 4-0-0.

DRAFT

Chairman Petrain moved, Co-Chairman Methot seconded to approve amended minutes of 10/18/04. Passed 4-0-0.

11. ADMINISTRATORS REPORT

PSNH POLE LICENSING – Mr. Christensen supplied the board with a report for signatures.

PRIMEX – Mr. Christensen referred to a memo describing the 2005 Experience Modification Rate and the fact that we have \$2,256.02 which we can have applied to next years premiums or get a check. Primex would discount by 5% if we choose to lock in for 3 years. It was agreed to apply the Primex return to next year's cost as done last year.

Chairman Petrain moved, Co-Chairman Methot seconded to enter into a three year multi- year contract for the 5% discount with Primex, Passed 4-0-0.

Energy audit from PSNH broke down 4 different facilities, looking at electric and fixtures not the oil and insulation which warrant further looking into. There are 4 different contracts; Town office building, highway dept, transfer station and town hall, PSNH will contribute 50% if we choose to use their contractor, Rise Engineering. PSNH would pay for disposable of old electric fixtures with installation of new magnetic fixtures. Mr. Christensen stated this could be done with funds from the town office building fund.

Mr. Christensen stated that there is an individual whose land was taken due to back taxes and they want to buy it back by paying an estimated. \$4,300. Chairman Petrain asked that it be verified that the land is still in the town's possession.

Piscataquog request signed and covered.

PAYROLL SERVICES – Mr. Christensen spoke of the request to have Elayne Pierson to estimate the total costs of employees and benefits, which she has completed.

The Payroll Services – determined that ADP would be the least expensive \$6,038.20 in 2005 to go this way. Mr. Christensen spoke with Elayne Pierson, she has recommended having an employee come on board for approximately 20 hours per week at \$11.00 an hour costing \$9,000 which would cover payables and payroll. Mr. Christensen believes that there is real merit for bringing on a new employee. Mr. Christensen sent an inquiry to Local Government Center asking if this needs to go for a town vote or can we just add it. Selectman Cook stated he is in favor in hiring a part-time employee, and Chairman Petrain agreed.

Chairman Petrain stated that the Board was not in favor of going with a payroll service at this time and would like to hold a non-public session on December 20, 2005 to assess the time management within the Finance Department and to determine the requirements of the new hire position.

TOWN REPORT / TOWN MAILER –

Mr. Christensen updated the Board, and has requested general written information by December 27, 2004 and statistical information by January 21, 2005.

DRAFT

Mr. Christensen referred to a Safety Summary Form connected to the Department of Labor. Businesses over 5 people have to do this report, over 10 have to have a written safety policy. The Town has to have quarterly joint loss meetings.

BUILDING DEPARTMENT – Vehicle option, Mr. Chip Meany looked into a used vehicle, actual quote for a 3 year old S-10 4x4 regular cab standard lease mile of 15,000 36 month lease would be \$14,495 with 45,000 miles in comparison to a 3 year municipal lease of \$19,800 principal and \$6934.07 yearly payment and if in purchased in the town's name they will through in the toolbox for free. So in summary \$14,500 for a 2001 with 45,000 miles with no warranty or increase \$5,000 and gain a brand new vehicle with a full warranty and a lease purchase and then we own it. Mr. Christensen recommended the lease purchase.

LAWN CARE –

Chairman Petrain moved, Selectman Kurk seconded to award Champion Property Services for the lawn care for the Fire Department in the amount of \$4,860.00.

Selectman Kurk moved, Chairman Petrain seconded to appoint Chuck Bolton from an alternate to a full time member of the Planning Board. Passed 4-0-0.

12. NONPUBLIC SESSION #2

Chairman Petrain moved, Selectman Kurk seconded, to enter into nonpublic session @ 10:30 p.m. pursuant to the authority granted in RSA 91-A:3II(a). A roll call vote was taken. Co-Chairman Methot - yes; Selectman Kurk - yes; Selectman Cook - yes; Chairman Petrain - yes. Passed 4-0-0.

Present at the session were Selectmen Petrain, Methot, Cook, and Kurk and Town Administrator Robert Christensen.

The Board of Selectmen and the Town Administrator discussed an appropriate level of salary for the position of Town Administrator. It was determined that the conversation would be best with the full Board present (Selectman Reynolds being absent). It was decided to move the discussion to Monday, December 6, 2004.

Selectman Petrain moved to come out of nonpublic session at 10:45PM. Selectman Methot seconded the motion and a roll call vote unanimously approved the motion. It was decided there was no need to seal the minutes and to include in public minutes.

13. ADJOURNMENT

Chairman Petrain moved, Selectman Kurk seconded to adjourn at 10:45 p.m. Passed 4-0-0

DRAFT

A True Record.

Cherry Palmisano, Recording Secretary